

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30783 of 2016

Arising Out of PS.Case No. -100 Year- 2016 Thana -TEKARI District- GAYA

- =====
1. Satya Narayan Sao son of Late Sahdeo Sao
 2. Sunita Devi wife of Satyanarayan Sao
- Both resident of Mohalla - Bahalia Bigha, P.O. and Police Station -Tekari, District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar

For the Opposite Party/s Mr. Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

04/ 18.11.2016 Heard learned counsel for the petitioners as well as learned Addl. Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with a case registered under sections 302, 201 and 120(B)/34 of the Indian Penal Code.

Petitioners happen to be parents-in-law of the informant. Informant states in her written report that her relation was strained with her husband but subsequently, by order of the court, she started residing with her husband. Informant further states that on 26.3.2016 her husband left his home along with one year old child and subsequently, she got information that her husband killed the child drowning him into a pond. Informant claims that petitioners were also in conspiracy in committing the murder of her child.

Learned counsel for the petitioners submits that subsequently, statement of informant was recorded under section 164 Cr.P.C in which she demolished the contents mentioned in the written report saying that her husband was suffering from epilepsy and, as a matter of fact, her husband got stroke of epilepsy as a result whereof her child slipped from his hand and had fallen in the pond but the villagers got suspicious about the role of her husband and got prepared a written report on which her signature was taken while she was not in proper mental condition.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note of this fact that in written report of the informant entire allegation centers around against her husband, let petitioners, in the event of arrest/ surrender within six weeks from the date of receipt of this order to the concerned court, be released on bail on furnishing bail bonds of Rs 10,000/- each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gaya in Tekari P.S. Case no. 100/2016 subject to condition as laid down under section 438(2) of the Cr.P.C.

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(Hemant Kumar Srivastava,J)

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